

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPURSINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.WRIT PETITION NO.334 OF 2006PETITIONER

Smt. Gulabi Bai Budek, W/o Late Shri
Tularam Budek, Aged around 52 years,
Occupation – House Wife, Residing at :
Paterapali, SARAIPALI, (Post & Tehsil)
District : Mahasamund (CG)

versusRESPONDENTS

1. State of Chhattisgarh, Through : The
Secretary, Ministry of Home,
Government of Chhattisgarh,
D.K.S.Bhawan, RAIPUR – (CG)
2. The Director General of Police, Police
Head Quarters Chhattisgarh Police,
RAIPUR – (CG)
3. The Inspector General of Police, Sarguja
Range, SARGUJA – (CG)
4. The Superintendent of Police, Balrampur
District, BALRAMPUR – (CG)

Present : Mr. Uttam Pandey, learned counsel for the petitioner.
Mr. Utkarsh Verma, learned Deputy Government Advocate
for the respondents/State.

ORAL ORDER(Passed on 23rd January, 2006)

The petitioner is the mother of one Late Shri Lalit Budek. At the relevant point of time, he was Constable in the Police Department and he was killed in an encounter with naxalites on 8-1-2005. It is stated that on 22-7-2004, the Director General of Police, Chhattisgarh State declared on behalf of the State Government that the Police Personnel, if they are killed in encounters in Naxalite affected areas, the insurance coverage would be enhanced from Rs.2 Lakhs to Rs.10 Lakhs, but, in terms of the above assurance, no payment is made. It appears that, in that regard, the

petitioner made a representation on 17-4-2005 marked as Annexure P-3 to respondents No.3 and 4 for payment of the enhanced insurance amount, but, respondents No.3 and 4 have not responded to that representation. Under the circumstance, the petitioner has approached this Court under Article 226 of the Constitution seeking intervention of the Court.

Since it is the request of the petitioner to direct respondents No.3 and 4 to consider her representation, there is no need for me to consider the merit of the claim put forth by the petitioner and that cannot be done also because other side has yet to file reply to the writ petition. In that view of the matter, I dispose of the writ petition directing respondents No.3 and 4 to consider and dispose of the representation of the petitioner dated 17-4-2005 marked as Annexure P-3, if not already done, within a period of two months from the date of receipt of copy of this order. No costs.

Sd/-
S.R. Nayak
Chief Justice